

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DANIEL CLEARY,)
)
Defendant.)

4:07CR3047

ORDER

IT IS ORDERED that:

- (1) The government's request for hearing (filing 50) is granted.
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 48) has been set before the undersigned United States district judge on Friday, March 6, 2009, at 12:00 noon, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (3) At the request of the defendant through his counsel, the defendant will participate in the hearing by telephone.
- (4) The Marshal is directed not to return the defendant to the district.
- (5) The defendant is held to have waived his right to be present.

February 12, 2009.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge